

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE**

MARY L. WARREN,

Plaintiff,

v.

**FLYWAY EXPRESS, LLC,
DHL EXPRESS (USA), INC. and
JOHN DOES 1-3,**

Defendants.

)
) **NO.** _____
)
) **JUDGE** _____
)
) **MAGISTRATE JUDGE**
) _____
)
) **JURY DEMAND**
)

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, defendants Flyway Express, LLC and DHL Express (USA), Inc. (“Defendants” or “Flyway” and “DHL”), by and through counsel, hereby file this Notice of Removal of this action from the Circuit Court in Shelby County, Tennessee, where it is now pending, to the United States District Court for the Western District of Tennessee based upon diversity of citizenship and an amount in controversy exceeding \$75,000. The grounds for removal are as follows:

Procedural Background

1. On or about May 6, 2025, Plaintiff Mary Warren, filed a Complaint in the Circuit Court of Shelby County, Tennessee bearing Docket No. CT-1866-25. True and accurate copies of the pleadings served upon these Defendants in this action are attached as Exhibit A.
2. Per the Complaint, Plaintiff Mary Warren was and is at all times relevant hereto, including the time of the commencement of Docket No. CT-1866-25, a citizen and resident of the State of Arkansas.
3. The Complaint was served on Flyway Express, LLC by means of its registered agent on or about June 2, 2025. This Notice of Removal is being filed within thirty (30) days after

service of the Complaint on Flyway in this matter; therefore, the removal is timely in accordance with 28 U.S.C. § 1446.

4. The Complaint was served on DHL Express (USA), Inc. by means of its registered agent on or about May 16, 2025. This Notice of Removal is being filed within thirty (30) days after service of the Complaint on DHL in this matter; therefore, the removal is timely in accordance with 28 U.S.C. § 1446.
5. Defendants John Doe 1-3 are unknown persons, so residency and citizenship are unknown. To undersigned counsel's knowledge, the Complaint has not yet been served on defendants John Doe 1-3.
6. Flyway was at the time of the filing of this Notice of Removal and was at the time of the commencement of this action, a for-profit corporation, organized under the laws of the State of Mississippi with its principal place of business in Tennessee.
7. DHL was at the time of the filing of this Notice of Removal and was at the time of the commencement of this action, a for-profit corporation, organized under the laws of the State of Florida with its principal place of business in Florida.
8. The United States District Court for the Western District of Tennessee has original jurisdiction over this action pursuant to 28 U.S.C. § 1332 as there is diversity of the parties, and the amount in controversy clearly exceeds \$75,000 exclusive of interest and costs.
9. This action is one that Flyway and DHL may remove to this Court pursuant to the provision of 28 U.S.C. U.S.C. § 1441(a).
10. Plaintiff's Complaint contains an ad damnum of \$1,000,000.00, which is well in excess of \$75,000.00 exclusive of interest and costs. Thus, the damages being sought are above the monetary threshold allowing jurisdiction in this Court.

11. A copy of this Notice of Removal is being served via email on counsel for Plaintiff, and a Notice of Filing of Notice of Removal is being filed with the Shelby County Circuit Court in Shelby County, Tennessee, in accordance with 28 U.S.C. § 1446(d). (Copies of those notices are attached as Exhibit B.) The necessary filing fees have been paid simultaneously with the filing of the Notice of Removal.

9. Flyway and DHL demand a jury to try this case.

WHEREFORE, defendants Flyway Express, LLC and DHL Express (USA), Inc. respectfully request that this action be removed to the United States District Court Western District of Tennessee.

Respectfully submitted:

/s/ Peter Robison

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*Counsel for Flyway Express, LLC and DHL
Express (USA), Inc.*

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing NOTICE OF REMOVAL has been served on the following counsel of record via email:

Henry Reaves, III
2650 Thousand Oaks Blvd, Ste 3100
Memphis TN 38118
Henry.reaves@beyourvoice.com

Counsel for the Plaintiff

This the 10th day of June 2025.

/s/ Peter Robison
Peter C. Robison